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17 *Attorneys for Defendant: Otto Trucking LLC*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,
 	
        Plaintiff,
 	
    v.
 	
UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
LLC,
 	
        Defendants.
	Case No. 3:17-cv-00939-WHA
	
	DEFENDANT OTTO TRUCKING'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL PORTIONS OF ITS OPPOSITION TO WAYMO'S MOTION FOR PARTIAL SUMMARY JUDGMENT
	
	Courtroom: F-15th Floor
	Magistrate Judge: Hon. Jacqueline Scott Corley
	Trial: October 10, 2017
	
	Filed/Lodged Concurrently with:
	1. Declaration of Neel Chatterjee
	2. [Proposed] Order
	3. Redacted/Unredacted Versions
	4. Proof of Service

1   Pursuant to Civil Local Rules 7-11 and 79-5, Defendant Otto Trucking LLC ("Otto

2   Trucking") submits this administrative motion for an order to file under seal its Opposition to

3   Waymo's Motion for Partial Summary Judgment (the "Administrative Motion"). Specifically,

4   Otto Trucking requests an order granting leave to file under seal the confidential portions of the

5   following documents:

Document	Portions to Be Filed Under Seal
Otto Trucking's Opposition to Waymo's Motion for Partial Summary Judgment	Highlighted Portions
Exhibit 2 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086885 – 00086892	Highlighted Portions
Exhibit 3 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086893 – 00086906	Entire Document
Exhibit 4 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086932 – 00086939	Entire Document
Exhibit 8 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00011805	Entire Document
Exhibit 9 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086809 – 00086811	Entire Document
Exhibit 10 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086907 – 00086917	Entire Document
Exhibit 11 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086800 – 00086808	Entire Document
Exhibit 12 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086812 – 00086814	Entire Document
Exhibit 13 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00084600 – 00084601	Entire Document

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Exhibit 14 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00083662 – 00083663	Entire Document
Exhibit 15 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00035458 – 00035459	Entire Document
Exhibit 16 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086817 – 00086819	Entire Document
Exhibit 17 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00084551 – 00084555	Entire Document
Exhibit 18 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00084575 – 00084581	Entire Document
Exhibit 19 to Vu Declaration – Declaration of Michael Janosko dated March 9, 2017	Entire Document
Exhibit 22 to Vu Declaration – Excerpts of Deposition Transcript of Kristinn Gudjonsson dated July 28, 2017	Highlighted Portions
Exhibit 23 to Vu Declaration – Excerpts of Deposition Transcript of Kristinn Gudjonsson dated September 8, 2017	Entire Document
Exhibit 25 to Vu Declaration – Excerpts of Deposition Transcript of Alexander (Sasha) Zbrozek dated September 6, 2017	Entire Document
Exhibit 28 to Vu Declaration – Excerpts of Expert Report of Erik Laykin dated September 7, 2017	Entire Document
Exhibit 29 to Vu Declaration – Document Bates-stamped UBER00077201 – 00077202	Entire Document

The highlighted portions of Otto Trucking's Opposition to Waymo's Motion for Partial Summary Judgment, the highlighted portions of Exhibits 2 and 22 to the Vu Declaration, and the entirety of Exhibits 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 23, 25, 28 and 29 to the Vu Declaration contain information that Waymo has designated "Confidential" or "Highly

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1 Confidential – Attorneys' Eyes Only" pursuant to the Protective Order in this case. Otto Trucking

2 states no position about whether the confidentiality designations are appropriate. Otto Trucking

3 anticipates that Waymo will file any necessary declarations to seal the above information pursuant

4 to Local Rule 79-5.

5   The entirety of Exhibit 29 contains information that Uber Technologies, Inc. ("Uber") has

6 designated "Confidential" pursuant to the Protective Order in this case. Uber will file a

7 declaration to seal Exhibit 29 pursuant to Local Rule 79-5.

8   Otto Trucking's request to seal is narrowly tailored to those portions of the Administrative

9 Motion and its supporting documents that merit provisional sealing.

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11 Dated: September 12, 2017   Respectfully submitted,

12   By: */s/   Neel Chatterjee*
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OTTO TRUCKING'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL
CASE NO. 3:17-CV-00939-WHA

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<u>CERTIFICATE OF SERVICE</u>

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 I hereby certify that I electronically filed the foregoing document including all of its

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attachments with the Clerk of the Court for the United States District Court for the Northern

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District of California by using the CM/ECF system on **September 12, 2017**. I further certify

5

that all participants in the case are registered CM/ECF users and that service of the publicly filed

6

documents will be accomplished by the CM/ECF system.

7

 I certify under penalty of perjury that the foregoing is true and correct. Executed on

8

September 12, 2017.

9

        /s/   *Neel Chatterjee*
            NEEL CHATTERJEE

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